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Brief description of Williamette University's Legislative Workshop course in which students, working under the direction of the State legislative counsel, draft new legislation, do basic legislative research, attend committee meetings, and participate in the State's substantive law revision program. The purpose of the course is to learn by doing.

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LEGISLATIVE WORKSHOP

U. S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
Office of Education

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... practical experience at WILLAMETTE

One of legal education's most novel courses is the Legislative Workshop Program at Willamette University College of Law in Salem, Oregon. Students, working under the direction of the State Legislative Counsel, draft new legislation, do basic legislative research, attend meetings of committees, and participate in the State's substantive law revision program.

AMERICAN LAW STUDENT ASSOCIATION

AMERICAN BAR CENTER CHICAGO 37, ILLINOIS

ED000350

HISTORY AND PURPOSE OF THE LEGISLATIVE WORKSHOP

The Legislative Workshop course was started at the College of Law, Willamette University, Salem, Oregon, in 1954.

The purpose of the course is to learn by doing--to learn about statutes: their increasing importance to, and impact on, society, their development and application, and how they are drafted; and, to learn about state legislative processes, procedures and organization.

Supervision and instruction is carried on by Sam R. Haley, Legislative Counsel of the State of Oregon. The office of the Legislative Counsel is a part of Oregon's legislative branch of government. Its principal functions are furnishing a bill-drafting service and editing, indexing, annotating and publishing Oregon Revised Statutes.

THE CONTENT OF THE WORKSHOP

Student drafting assignments involve for the most part the preparation of bills and accompanying memoranda or letters of transmittal to fulfill actual bill-drafting requests pending in the Legislative Counsel's office. The facilities of the Legislative Counsel's office, such as the bill drafting manual and other drafting materials, the library and files, are utilized. As necessary, students may also use the facilities of the State Library and the Supreme Court Library.

Students acquire data and background information by interviewing public officials and others. Drafts are reviewed by the Legislative Counsel and the common defects and drafting problems encountered are discussed. These discussions take place in the Legislative Counsel's office as well as in the class room. At the same time, the pertinent rules of statutory construction are considered. The emphasis is on drafting technique, however, rather than on the substantive law or the policy considerations involved; although the legislative decision-making process is not overlooked. For example, after the necessary orientation, students attend meetings of legislative interim committees to see how they operate and how lawyers function at these meetings, some as members of the

legislature and others representing their clients. Materials presented to the committees are examined and discussed.

Some of the students' drafts, after being reviewed and, if necessary, revised by the Legislative Counsel, are ultimately funneled through his office to the sponsor for legislative introduction. For example, students' drafts on such subjects as chemical tests for determining intoxication of motor vehicle drivers and a public defender system have been introduced.

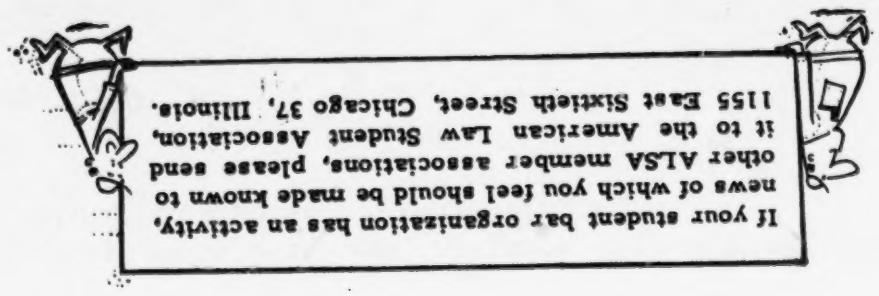
STUDENTS ALSO USED IN LAW REVISION PROGRAM

Additional opportunities for student participation in the legislative process will be offered in connection with the substantive law revision program now being undertaken by the Legislative Counsel Committee, the eleven-member legislative committee under whose control the Legislative Counsel's office operates. In the last ten years a number of ambiguities, conflicts and defects in the Oregon statutes have been noted by the Legislative Counsel's office through statute editing processes, examination of Supreme Court decisions and Attorney General's opinions and as a result of suggestions from practicing attorneys and state agencies. As a part of the substantive law revision program, these notes will be examined and proposed remedial legislation will be drafted for the approval of and introduction by the Legislative Counsel Committee. Practically, these drafting projects are better suited for student assignments than are those involving other legislative sponsors.

FOR FURTHER INFORMATION

Contact Sam R. Haley, Esquire, Legislative Counsel, State of Oregon, 410 State Capitol, Salem, Oregon.

February, 1960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